

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.1559 of 2009

Date	Order with signature of Judge
------	-------------------------------

- | | |
|-------|----------------------------------|
| 1. | For orders on CMA No.9744/2010 |
| 2. | For hearing of CMA No.10011/2009 |
| ----- | |

11/12/2013

Mr. Muhammad Hanif, Advocate, holding brief for
Mr. Muhammad Ilyas Waraich
Syed Mazharul Haq, Advocate for Defendant

On 14.12.2009, learned counsel for the plaintiff was directed by this Court to satisfy the Court on the question of limitation. Even on the said date, the counsel for the plaintiff was not present and Mr. Arshad Lodhi, Advocate, held brief on his behalf. On 13.05.2010, Mr. Muhammad Hanif, Advocate, requested for time on behalf of Mr. Ilyas Waraich. On 10.08.2010, again Mr. Muhammad Hanif informed the Court that Mr. Ilyas Waraich is not well. Then, on 19.08.2010, again Mr. Muhammad Hanif stated on behalf of Mr. Ilyas Waraich that he is out of station. On 28.09.2010, Mr. Muhammad Hanif again informed the Court that Mr. Ilyas Waraich is on general adjournment. On 24.11.2010 nobody was present. On 05.04.2011 again Mr. Muhammad Hanif informed that Mr. Ilyas Waraich is on general adjournment. On 18.08.2011 Mr. Muhammad Hanif, Advocate, requested for adjournment on behalf of Mr. Ilyas Waraich on the ground that he was busy in another Bench. On 28.10.2011 Mr. Muhammad Hanif again held brief for Mr. Ilyas Waraich as Mr. Ilyas Waraich is not in Court. On 15.08.2012 Mr. Ilyas Waraich, counsel for the plaintiff, was present and sought time, which was given by consent. On

12.09.2012 neither the plaintiff attended the Court nor Mr. Ilyas Waraich, counsel for the plaintiff, was present and it was specifically ordered that if Mr. Ilyas Waraich, counsel for the plaintiff, will fail to appear and argue the point of limitation this suit will be dismissed for non-prosecution. On 03.10.2012 one Mr. Amir Maqsood, Advocate, held brief on behalf of Mr. Ilyas Waraich and once again a last chance was given to him to argue the case on 17.10.2012 with the condition that if he fails to appear and argue the matter the suit will be dismissed for non-prosecution. On 12.10.2012 plaintiff appeared in person to seek time on the ground that Mr. Ilyas Waraich has not come today. On 11.12.2012, again none was present. On 20.11.2013, Mr. Muhammad Hanif, Advocate, held brief for Mr. Ilyas Waraich and sought time on the ground that he was unwell and the case was adjourned to 11.12.2013. Today, again Mr. Ilyas Waraich is reported to be busy before another Bench, therefore, this case was kept aside, to be taken up at 11:00 a.m.

At 11:00 a.m Mr. M. Ilyas Warraich, advocate for the Plaintiff appeared and requested for time. At his request matter is being adjourned to 12.12.2013.

JUDGE